

FY.50688US0A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	: Masanobu Yamamoto
Appl. No.	: 10/648,024
Filed	: August 26, 2003
For	: COMPONENT ARRANGEMENT FOR SNOWMOBILE
Examiner	: Tony Winner
Group Art Unit	: 3611

**DECLARATION OF PRIOR INVENTORSHIP TO OVERCOME CITED PUBLICATION
UNDER 37 C.F.R. § 1.131**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Masanobu Yamamoto, do hereby declare that:

1. I am the inventor of the above-captioned patent application, which claims priority from Japanese Patent Application No. 2002-246408, filed August 27, 2002.
2. I hold a degree in Mechanical Systems Engineering from Shinshu University in Japan.
3. I have been employed at Yamaha Motor Company, Ltd. (YMC) for approximately 22 years, since April 1982.
4. I currently hold the title of Supervisor at YMC.
5. I currently have the following responsibilities at YMC: designing power generating machine engines; prior responsibilities included designing snowmobile engines.
6. I understand that Claims 1-3, 6, 13-15 and 18 of the present application were rejected in the May 19, 2004 Office Action as being anticipated under 35 U.S.C. § 102(e) by Pichler et al. (U.S. Pub. No. 2004/0031635 A1), and that Claims 4-5 and 14-16 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Pichler in view of Ashida et al. (U.S. Pub. No. 2002/0148662 A1).

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7. I believe the facts set forth below show that I conceived of and reduced to practice the inventions defined by the claims of the present application prior to the effective filing date of the Pichler reference.
8. Exhibit A includes a copy of a Drawing illustrating a partial cross-section of a front view of an engine for a snowmobile, as claimed in the above-captioned application and shown in Figures 4-7 of the application. This Drawing was generated no later than July 16, 2002 and depicts, among other features, an engine body with a crankcase having a crankshaft that rotates about a crankshaft axis, a cylinder block assembly extending upward from the crankcase and having at least one cylinder bore, and a piston that moves along an axis of the cylinder bore.
9. Exhibit B includes a redacted section (Section 1) of a second Drawing, which was generated no later than July 16, 2002, illustrating a left-side view of the snowmobile engine, as claimed in the above-captioned application and shown in Figure 3 of the present application. Section 1 depicts, among other features: a balancer shaft located above a crankshaft, wherein the balancer shaft rotates about an axis, is coupled to the crankshaft, and is supported by the engine body; an air box located forward of and at least partially above the cylinder assembly; a water pump located above the crankshaft; a battery located between the cylinder assembly and the air box, and located at least partially below the air box; a lid coupled to a lower end of the crankcase, the lid and the crankcase defining a lubricant chamber therebetween; and at least one lubricant pump located within the lubricant chamber and supported by the crankcase. Exhibit B also includes a translation of Japanese language notations associated with redacted Section 1.
10. Exhibit C includes another redacted section (Section 2) of the second Drawing noted above illustrating a left-side cross-sectional view of the snowmobile engine claimed in the above-captioned application along axis S2-S2 noted on Section 1 of the second Drawing. Section 2 depicts, among other features, a cylinder assembly tilted such that the axis of the cylinder bore is inclined rearwardly from a vertical axis. Exhibit C also includes a translation of Japanese language notations associated with redacted Section 2.

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11. Exhibit D includes another redacted section (Section 3) of the second Drawing noted above and illustrates a cross-sectional front view of the snowmobile engine, as claimed in the above-captioned application and shown in Figures 5 and 6 of the application. Section 3 depicts, among other features, a transmission assembly with an input shaft supported by bearing assemblies located along an axis of the input shaft, the bearings supported by the engine body, and a damper between the crankshaft and the input shaft; the transmission assembly transmits torque from the engine to the drive assembly. Exhibit D also includes a translation of Japanese language notations associated with redacted Section 3.
12. Exhibit E is a translation of a Japanese language letter from YMC to the Sawada Patent Office dated July 16, 2002, a copy of which is also attached, requesting the preparation of a Japanese patent application for inventions disclosed in the Drawings of Exhibits A-D.
13. The acts leading to conception and the reduction to practice of the subject matter claimed in the above-captioned patent application were performed in Japan after January 1, 1996.

I declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, § 1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application and any patent issued thereon.

Dated: Oct. 18, 2004

By: Masanobu Yamamoto
Masanobu Yamamoto

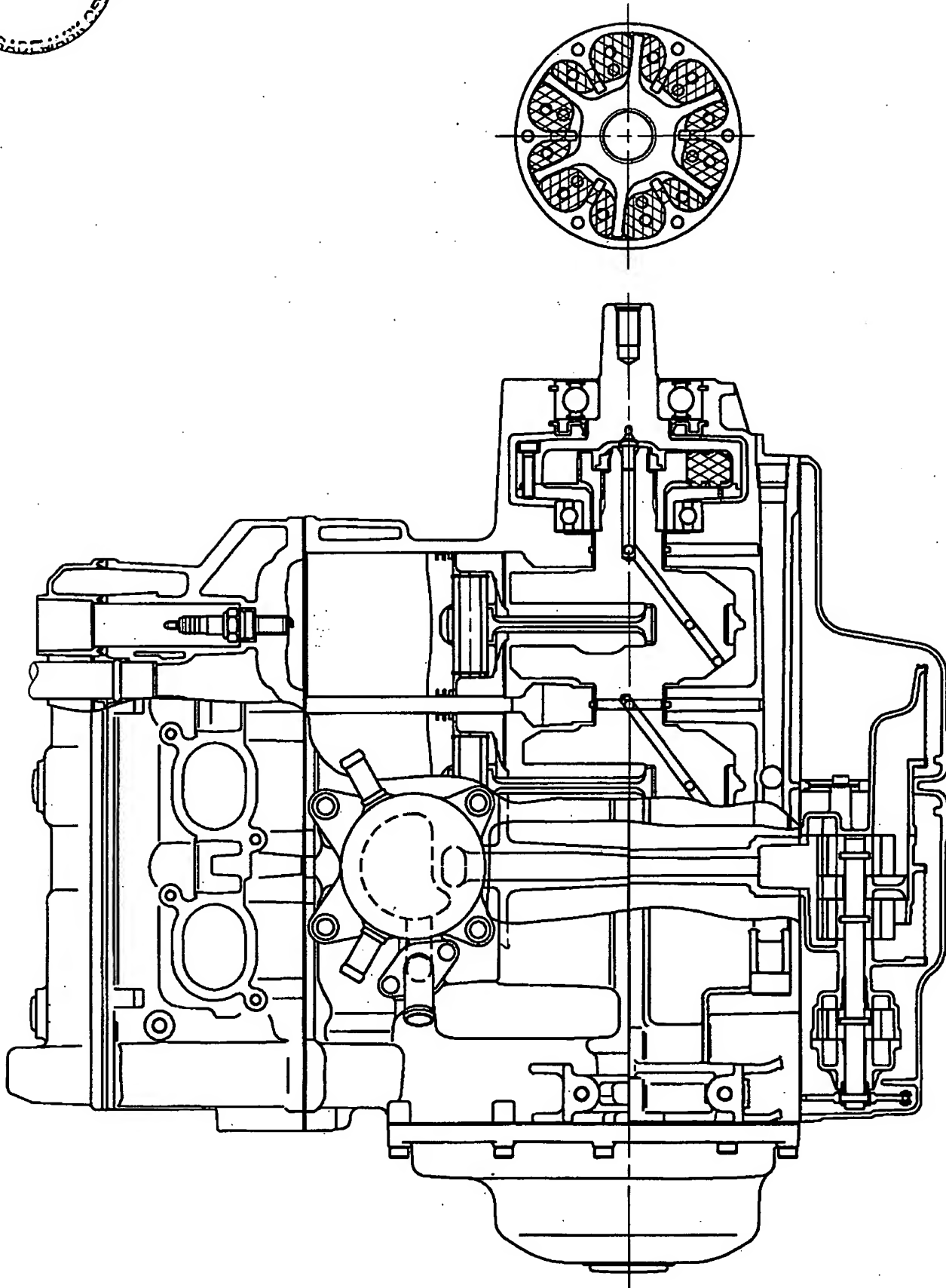


EXHIBIT A

Exhibit B – Translation of Japanese Language Notations in Section 1

(1) Front

(2) Heated water return

(3) Oil

EXHIBIT B – Translation of
Japanese Language Notations in
Section 1

REDACTED

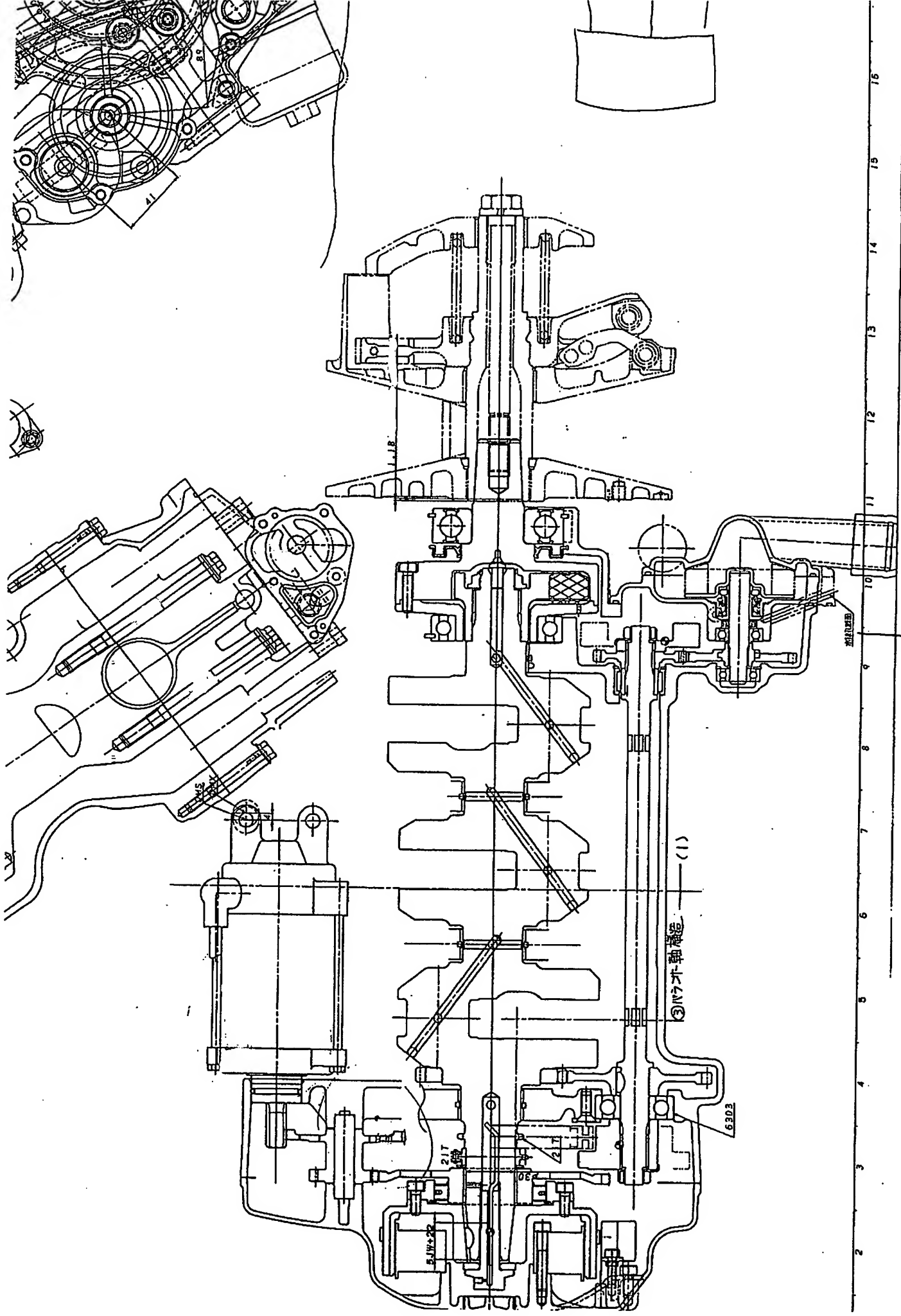


REDACTED

Exhibit C – Translation of Japanese Language Notations in Section 2

- (1) Exhaust port outlet
- (2) Point I¹
- (3) Point I
- (4) Suction port inlet

¹ [Translator's note: "I" is the first letter in the traditional Japanese ordering scheme.]



(2)

EXHIBIT D – Section 3

REDACTED

Exhibit D – Translation of Japanese Language Notations in Section 3

(1) (3) Balancer shaft construction

(2) Drain hole cross-section

EXHIBIT D – Translation of
Japanese Language Notations in
Section 3

REDACTED



YAMAHA MOTOR CO.,LTD. 2500 Shingai, Iwata, Shizuoka 438-8501, Japan

出願手続依頼書

02/07/16

July 16, 2002

澤田特許事務所 御中

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ヤマハ発動機株式会社

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拝啓 貴所ますますご清栄のこととお慶び申し上げます。

さて、下記の件について出願の手続きを進めて頂きますようお願い致します。

なお、原稿送付に際しては当社整理番号及び上記担当者名を記載の上、お送り下さい。

敬 具

記

出願種別: 特許

出 願 国: 日本

整理番号: PY50688JP0

発明の名称 : スノーモビルエンジンレイアウト

出 願 人: ヤマハ発動機株式会社

静岡県磐田市新貝2500番地 日本国

代表者 長谷川 至

発 明 者:

氏名

居所

山本 正信 ヤマハ発動機株式会社内

Exhibit E

REDACTED

[mark] YAMAHA

[in English] YAMAHA MOTOR CO., LTD. 2500 Shingai, Iwata, Shizuoka 438-8501, Japan

Filing Procedure Request Form

July 16, 2002 [source: 02/07/16]
[in English] July 16, 2002

To the Sawada Patent Office

2500-banchi Shingai, Iwata City, Shizuoka Prefecture
438-8501
Yamaha Motor Co., Ltd.

TEL: 0538-32-1173 FAX: 0538-32-9426

[Standard Japanese business greeting]

I would like to request the procedures for filing be carried out for the below-mentioned matter.

When sending the original, please do so after noting our reference number and the name of the person in charge mentioned above.

Best regards

Details

Filing classification: Patent
Filing country: Japan
Reference number: PY50688JP0

Title of invention : SNOW MOBILE ENGINE LAYOUT

Applicant: Yamaha Motor Co., Ltd.
2500-banchi Shingai, Iwata City, Shizuoka Prefecture Japan
Representative Tooru Hasegawa

Inventor:	Name	Address
	Masanobu Yamamoto	C/o Yamaha Motor Co., Ltd.

Exhibit E – Translation

REDACTED